

REMARKS

Status of Claims

Claims 9 and 10 have been cancelled. Claims 1-8, 10-31 have been amended. Claim 32 is a new claim that has been added. Claims 1-8, 11-32 are now pending in this application. Reconsideration of the rejections of all claims and allowance are earnestly solicited in view of the amendments and the following remarks.

Objections to the Specification

The specification has been objected to for various informalities. Appropriate corrections have been made. Withdrawal of the objections to the specification is respectfully requested.

Additionally, the Examiner has requested a few explanations of certain issues for clarity purposes. The Examiner has requested that Applicant explain how “Expression 1” is converted into the binary representation of Figure 4. However, Applicant notes that the specification does not state that the “Expression 1” is converted into the binary representation of Figure 4. Therefore, the Examiner’s request is unnecessary.

The Examiner has also requested that Applicant amend the term “XML token” in paragraph 35. Applicant notes that XAML is an extension of XML as disclosed on page 2 paragraph 4 of Applicant’s specification. One of ordinary skill in the art at the time of the invention could discern that an XAML file can include one or more XML tokens. Therefore, Applicant believes that an amendment to the term “XML token” is not necessary.

Claim Objections

The claims have been objected to for various informalities. Appropriate correction has been made. Withdrawal of the claim objections is respectfully requested.

Rejections under 35 U.S.C. § 101

Claims 1-31 were rejected under 35 U.S.C. § 101 because the claimed invention is directed to non-statutory subject matter. This rejection is respectfully traversed.

The Office Action alleges that the invention, as claimed in claims 1-31, merely manipulates electronic data and does not produce a useful, concrete, and tangible result. The Office Action further alleges that the claims, as recited, do not perform any function using the electronic data that would produce a useful, concrete, and tangible result. Applicant respectfully disagrees.

The independent claims clearly have a useful, concrete, and tangible result. The claims disclose generating an optimized binary representation of markup language information. The generation of the optimized binary representation produces a useful, concrete, and tangible result as it makes an markup language information more compact and thus makes the information more efficient for storage, loading, and transmission (see Specification paragraph 6). The generated binary representation reduces loading/transmission times, and reduces storage space necessary to store the markup language information. Therefore, Applicant's claims indeed possess a useful, concrete and tangible result. Accordingly, Applicant respectfully request a withdrawal of the 35 U.S.C. § 101 rejection.

Rejections under 35 U.S.C. § 102(e) and 35 U.S.C. § 103(a)

Claims 1, 6, 7, 11, 15, 17, 21, 23, 27 and 29 were rejected under 35 U.S.C. §102(e) as being anticipated by Sullivan et al., U.S. Patent No. 7,007,105. These rejections are respectfully traversed.

Claims 2-5, 8, 12-14, 16, 18-20, 22, 24-26, 28, 30 and 31 were rejected under 35 U.S.C. §103(a) as being unpatentable over Sullivan, in view of Wei, U.S. Patent Application Publication No. US 2004/0143823. These rejections are respectfully traversed.

Claims 9, 10, 14, 20, and 26 were rejected under 35 U.S.C. §103(a) as being unpatentable over Sullivan, in view of Lewallen, U.S. Patent No. 6,801,224. These rejections are respectfully traversed.

Regarding the independent claims, Sullivan fails to disclose optimizing a binary representation by at least one of indexing the first instance of a novel object type in the binary representation, and embedding an identifier in the binary representation to invoke an associated loader. This limitation is derived from cancelled claims 9 and 10 wherein the Office Action admits that Sullivan does not teach these claim limitations. The Office Action alleges that Lewallen discloses these claims, however, Applicant respectfully disagrees.

The Office Action alleges that Lewallen teaches a “bridge” including an object table that is equivalent to a system for optimizing a binary representation by indexing the first instance of a novel object type in the binary representation. Lewallen teaches that the bridge is a component that maintains an API mapping of World Wide Web Consortium (W3C) API interfaces to the corresponding implementation of the W3C API

interface in a user interface program that implements a Document Object Model (DOM) (see Lewallen col.3 lines 53-63). Lewallen also discloses that the object table is used to avoid creating multiple instances of the same Java object (see Lewallen col.5 lines 29-38). However, the claim limitation states that the indexing of a first instance of a novel object type is done “in the binary representation”. The bridge and object table taught by Lewallen are not binary representations and, therefore, any alleged indexing done by either component would not result in the indexing of a first instance of a novel object type “in the binary representation.” Lewallen, therefore, fails to teach this limitation of the claims.

The Office Action further alleges that Lewallen discloses embedding an identifier in the binary representation to invoke an associated loader. The Office Action points to the Lewallen’s bridge and object table components to show Lewallen’s disclosure of this claim limitation. However, the same deficiency arises as the bridge and object table taught by Lewallen are not binary representations and, therefore, any alleged embedding of an identifier is not done “in a binary representation” to invoke an associated loader. Lewallen, therefore, does not teach this limitation of the claims.

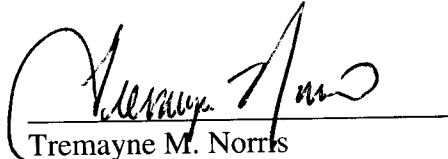
Moreover, Wei fails to cure the deficiencies found with the Sullivan and Lewallen references. Accordingly, Applicant respectfully requests a withdrawal of the rejection of the pending claims.

CONCLUSION

Claims 1-8, and 11-32 are pending in this application. In view of the amendments and remarks, applicants respectfully request that this application be allowed and passed to issue. Should any issues remain prior to issuance of this application, the Examiner is urged to contact the undersigned prior to resolve the same. The Commissioner is hereby authorized to charge any additional amount required, or credit any overpayment, to Deposit Account No. 19-2112 referencing Attorney Docket No. MFCP.110233.

Respectfully submitted,

Date: June 28, 2006


Tremayne M. Norris
Reg. No. 58,683

SHOOK, HARDY & BACON L.L.P.
2555 Grand Boulevard
Kansas City, Missouri 64108
Phone: (816) 474-6550